IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

LETTERS PATENT APPEAL No. 1305 of 1998
In
CIVIL APPLICATION No. 10367 of 1997
In
SPECIAL CIVIL APPLICATION No. 3515 of 1997

For Approval and Signature:

HONOURABLE MR.JUSTICE B.J.SHETHNA
HONOURABLE MR.JUSTICE M.C.PATEL

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1 Whether Reporters of Local Papers may be allowed to see the judgment ?

2 To be referred to the Reporter or not ?

3 Whether their Lordships wish to see the fair copy of the judgment ?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder ?

5 Whether it is to be circulated to the civil judge ?

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TRADERS PRIVATE LTD - Appellant(s)

Versus

JANSATTA KARMACHARI MANDAL & 1 - Respondent(s)

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Appearance :
MR KB NAIK for M/S TRIVEDI & GUPTA for Appellant(s) : 1,
RULE SERVED for Respondent(s) : 1,
MR RC PATHAK for Respondent(s) : 2,
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CORAM : HONOURABLE MR.JUSTICE B.J.SHETHNA
and
HONOURABLE MR.JUSTICE M.C.PATEL

Date : 21/09/2005

ORAL JUDGMENT (Per : HONOURABLE MR.JUSTICE B.J.SHETHNA)

Against the interim order dated 7th October, 1998

passed by the learned Single Judge in Civil Application No.10367 of 1997 in Special Civil Application No.3515 of 1997, the present appeal is filed. Alongwith this appeal, Civil Application No.9966 of 1998 was filed and on that Civil Application, an interim order was passed. The said Civil Application is finally disposed of on 9th March, 1999. Under the circumstances, it is also stated at the bar that the main writ petition i.e. Special Civil Application No.3515 of 1997 wherein stay is granted by the learned Single Judge is also coming up on the board very soon. In that view of the matter, we are of the considered opinion that without going into the merits of the case and expressing any opinion about the legality and validity of the interim order dated 7th October, 1998 passed by the learned Single Judge on Civil Application No.10367 of 1997, this appeal can be disposed of by requesting the learned Single Judge to decide the main Special Civil Application No.3515 of 1997 as early as possible, after it is placed on the board for final disposal before him. Accordingly, this appeal is disposed of with a request to the learned Single Judge to decide main Special Civil Application No.3515 of 1997 as early as possible. The office is directed to place the main writ petition i.e. Special Civil Application No.3515

of 1997 before the learned Single Judge in any case not later than December, 2005.

(B.J. Shethna, J.)

(M.C. Patel, J.)

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